

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

TISER LEE TURNER, } Case No. CV 08-3778-GAF (JTL)
Petitioner, }
v. } ORDER ADOPTING FINDINGS,
JOHN MARSHALL, Warden, } CONCLUSIONS, AND
Respondent. } RECOMMENDATIONS OF UNITED
STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. Section 636, the Court has reviewed the Petition for Writ of Habeas Corpus, all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge. Objections to the Report and Recommendation have been filed herein. Having made a de novo determination of those portions of the Report and Recommendation to which objection has been made, the Court concurs with and adopts the findings, conclusions and recommendations set forth in the Report and Recommendation of the Magistrate Judge.

IT IS ORDERED that (1) Respondent's Motion to Dismiss is DENIED without prejudice, and (2) Respondent must file an Answer to the Petition addressing the merits of the Petition within 30 days of this Order. *Yours, [Signature]*

DATED: January 13, 2009

GARY A. FEESS
UNITED STATES DISTRICT JUDGE